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# **Notice of Allowability**

**Application No.**

10/531,080

**Examiner**

/Joseph Martinez/

**Applicant(s)**

HUGHES ET AL.

**Art Unit**

2873

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5-22-07.
2. ☒ The allowed claim(s) is/are 1-16, 19 and 22-25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5-22-07 has been entered.

### ***Allowable Subject Matter***

Claims 1-16, 19 and 22-25 are allowed.

The following is an examiner's statement of reasons for allowance: applicant's arguments on p. 6-8 are deemed persuasive and furthermore, the prior art taken alone or in combination fails to anticipate or fairly suggest the limitations of the claims, in such a manner that a rejection under 35 USC 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims 1, 6, 12 and 19.

Specifically regarding claim 1, Fukushima et al. (5130830) teaches the state of the art of a method of controlling the switching of an optically addressable spatial light modulator (OASLM).

But, Fukushima et al. fails to explicitly teach a combination of all the claimed features including the photosensitive layer able to be driven in both a photosensitive

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direction and a non-photosensitive direction, a write cycle such that a leading pulse of the waveform applies a voltage in a photosensitive direction and a trailing pulse applies a voltage which is not in the photosensitive direction, wherein the trailing pulse causes switching between stable states of the OASLM, as claimed.

Specifically regarding claim 6, Fukushima et al. (5130830) teaches the state of the art of a method of controlling the switching of an optically addressable spatial light modulator (OASLM).

But, Fukushima et al. fails to explicitly teach a combination of all the claimed features including the photosensitive layer able to be driven in both a photosensitive direction and a non-photosensitive direction, a write cycle such that a leading pulse of the switching waveform is applied in a photosensitive direction and a trailing pulse is applied in a non-photosensitive direction, wherein the trailing pulse causes switching from a first state to an opposite state, as claimed.

Specifically regarding claim 12, Fukushima et al. (5130830) teaches the state of the art of a method of controlling the switching of an optically addressable spatial light modulator (OASLM).

But, Fukushima et al. fails to explicitly teach a combination of all the claimed features including the photosensitive layer able to be driven in both a photosensitive direction and a non-photosensitive direction, wherein switching between stable states is performed by applying an asymmetric bipolar switching waveform, and wherein a

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switching between stable states is caused by a trailing pulse of the bipolar switching waveform that includes a polarity in the non-photosensitive direction, as claimed.

Specifically regarding claim 19, Fukushima et al. (5130830) teaches the state of the art of a method of controlling the switching of an optically addressable spatial light modulator (OASLM).

But, Fukushima et al. fails to explicitly teach a combination of all the claimed features including the photosensitive layer able to be driven in both a photosensitive direction and a non-photosensitive direction, a write cycle such that a leading pulse of the waveform applies a voltage in a photosensitive direction and a trailing pulse of the waveform applies a voltage which is not in the photosensitive direction, wherein the trailing pulse causes the electrodes to switch between stable states, as claimed.

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joseph Martinez/  
Patent Examiner, AU 2873  
5-28-07

  
HUNG DANG  
PRIMARY PATENT EXAMINER